

KENTUCKY LICENSING BOARD OF HEARING INSTRUMENT SPECIALISTS
BOARD MEETING MINUTES

June 1, 2012
1:30 p.m.

A regular Board meeting of the Kentucky Licensing Board for Specialists in Hearing Instruments was held at the Office of Occupations and Professions located at 911 Leawood Drive in Frankfort, KY.

BOARD MEMBERS PRESENT

Steve Clark
Lisa Brown
Gerry Gordon-Brown
Peter Pearlman
Michael Stone
Debra Drewry
Faron Blakeman

OCCUPATIONS & PROFESSIONS STAFF

Carolyn Benedict, Board Administrator
Deb Day, Administrative Section Supervisor
Courtney Bourne, Executive Director
Susan Ellis, Fiscal Section Supervisor
Janet Cox, Fiscal Section

OFFICE OF THE ATTORNEY GENERAL

Angela Evans – Assistant Attorney General

BOARD MEMBERS NOT PRESENT

Greg Osetinsky, M.D.
Michael Hoagland

CALL TO ORDER

Mr. Pearlman called the meeting to order at 1:55 PM.

APPROVAL OF MINUTES

The minutes from the April 12, 2012 regular meeting were reviewed. Mr. Clark made a motion to approve the minutes. Ms. Brown seconded the motion. The motion carried unanimously.

FINANCIAL REPORT

Financial report was reviewed.

REPORT FROM OCCUPATIONS AND PROFESSIONS

Ms. Bourne introduced members of O&P staff that were attending the board meeting today. She informed members that she had already spoken with Mike Hoagland, Board Chair, regarding the Memorandum of Agreement (MOA) that had been emailed to board members for review in advance of the meeting. In her explanation, she explained that when preparing the new MOA's, an attempt was made to make them most equitable for all boards. The administrative fee paid by the board was increasing from \$14,555 to \$43,800. When the MOA was originally prepared, the administrator serving the board at time estimated that the board took 45% of their time. This information was reflected on the budget memo sent to members by Ms. Bourne. This caused members some concern as they didn't feel like that was a true reflection of the time spent on such a small board. Ms. Bourne explained that may be true now but at the time that was the information they had to work with.

One concern voiced by members was, what would happen if the board incurred exorbitant legal fees as they had in the past? Their concern was that with the administrative fees increasing by \$29,245 per year, the "cushion" that they had been able to build would be exhausted by the fee increase and would cause them not to have enough money to pay the legal fees. Ms. Ellis told them that if that happened, a budget allotment would be requested.

After reviewing the documentation provided to the board via email and distributed at the meeting Mr. Stone stated that it appeared the Board would be losing \$20,000 per year.

The board continued expressing their concerns and were told by Ms. Bourne that the budget had already been approved and that whether or not the MOA was signed and in place the increased administrative fee would be taken. Ms. Evans stated that it was her legal position that based on statute, O&P was obligated to provide services to the board whether the

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MOA was signed or not. When asked what their options were Ms. Bourne stated that they could, unfortunately, look at leaving O&P.

Following a lengthy discussion Mr. Blakeman made a motion that the board form an exploratory committee to explore alternative options including possibly leaving O&P. Ms. Clark seconded the motion. The motion carried with a vote of 5 in favor and 1 opposed. Mr. Pearlman appointed Mike Hoagland, Faron Blakeman, and Steve Clark to the committee.

OLD BUSINESS

Revision of all written licensing exams is continuing.

Ms. Benedict was reminded to create an answer sheet for the second group of defective aids.

Mike Stone and Debbie Drewry agreed to continue fleshing out the procedure for auditing during apprenticeships. They will report back to the board in August.

NEW BUSINESS

Correspondence from Persis J. Ormond was reviewed. Ms. Ormond had some concerns regarding the practical defective aids exam she took on April 13, 2012. She was requesting permission to take that portion of the exam before the next scheduled exam date. Ms. Benedict was asked to respond to Ms. Ormond explaining that it was the policy of the board not to allow exams to be taken any other time than the scheduled exam dates.

Correspondence from Carolyn Reeves was reviewed. Ms. Reeves was requesting an extension of time in which to earn the five hours of continuing education from the required list. Ms. Benedict was asked to respond to Ms. Reeves telling her that the Board would not grant a waiver or extension this far in advance. She is to be advised to make an effort to obtain the five hours of continuing education between now and January 30, 2013. If Ms. Reeves is unable to get the hours she is to notify the board closer to the expiration date with a valid reason. The board would then reconsider the request.

Correspondence from the International Hearing Society (IHS) was reviewed. The letter provided the board with information regarding their move toward their new computer-based International Licensing Exam (ILE). They are now ready for the Pilot Testing Period to begin. Following discussion, the board had some concerns. Mr. Stone agreed to contact IHS on behalf of the board to gather more information to be discussed at the August 2, 2012 board meeting.

Mr. Pearlman, Vice-Chair, on behalf of Mr. Hoagland, Board Chair, shared concerns with regard to the sale and use of personal sound amplifiers. The Food and Drug Administration (FDA) does not consider the device to be a "hearing aid." Ms. Evans stated that she had spoken with a representative of the consumer protection group in the Attorney General's office. They indicated that someone would need to actually hear an advertisement in order for them to intervene.

COMPLAINTS

The complaint committee made the following recommendations:

2012-01 – No response from sponsor. Complaint committee recommends sending an Order to Reply. Ms. Brown seconded the committee's recommendation. Motion carried.

2012-02 – Ongoing

2012-03 – Ongoing

2012-04 – Ongoing

2012-05 – Ongoing

2012-06 – Ongoing

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APPLICATIONS

Christel Chapman – Deferred pending receipt, review and acceptance of detailed work schedule during Stages I and II between apprentice and sponsor, Bruce Campagna

Benjamin Ferguson – Deferred pending receipt, review and acceptance of detailed work schedule during Stages I and II between apprentice and sponsor, Marsha Mattingly

Christine Griffiths – Approved to sit for August 3, 2012 exam

Garry Hammer – Approved under the sponsorship of David Kimbel

Gloria Kirschner – Approved to sit for August 3, 2012 exam

Gloria Morris – Approved to sit for August 3, 2012 exam pending receipt of license verification from Ohio

Amanda M. Prentice – Approved under the sponsorship of Kathryn Sandusky

David Price – Approved under the sponsorship of Art Azar

Teresa L. Somody – Approved under the sponsorship of Greg Thompson

Rebecca J. Zumbrum – Approved pending receipt of additional \$50 fee.

CONTINUING EDUCATION

The following application for continuing education was approved for 4 hours of continuing education: Digital Signal Processing. This will be presented by Dr. Carlos R. Abreu.

APPROVAL OF TRAVEL AND PER DIEM

Mr. Clark made a motion to approve the travel and per diem. The motion was seconded by Ms. Gordon-Brown. The motion carried unanimously.

NEXT MEETING

Mr. Pearlman reminded the Board that the next meeting is scheduled for Thursday, August 2, 2012 beginning at 1:30 p.m. The complaint committee will begin at 12:00 p.m. Licensing exams are scheduled for Friday, August 3, 2012 beginning at 8:30 a.m. at the Transportation Building. Board members are to arrive at 8:00 a.m. to set-up their exam rooms.

ADJOURNMENT

Having no further business before the Board, Ms. Drewry made a motion that the meeting would be adjourned at 4:10 p.m. The motion was seconded by Ms. Brown. The motion carried unanimously.

Minutes Prepared by
Carolyn Benedict
June 8, 2012